

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B Department- Court Case- Contempt Case No. 367/2012, filed by Sarva Sri.Chyannuri Leela Rani and 3 others, for compliance of the orders of the High Court of AP in W.P.No.30915/2011 Dt.23-11-2011- Payment to deposit of 50% decretal charges in respect of O.P.No.41/2005 on the file of Senior Civil Judge, Miryalaguda – Sanction-Accorded - Orders – Issued.

TRANSPORT, ROADS AND BUILDINGS (R.IV) DEPARTMENT

G.O.Rt.No.376.

Dated: 11-4-2012.

Read the following:

1. From the Asst.Regr., High Court of A.P, Hyderabad, in LAASMP.No.416/2010, in LAAS No.171/2010, Dt:23.04.2010.
2. From the Spl.C.S.to Govt., & C.C.L.A., Hyd., Lr.No.G1/391/2011, dt.08.07.2011.
3. From the CE(R&B) CRN & MD, APRDC, Hyderabad, Lr.No.APSHP/LA/825/97; dated:25.11.2011.
4. From the CE(R&B) CRN & MD, APRDC, Hyd., Lr APSHP/LA/825/97; dated:17-03.2012.
5. Contempt Notice received from the Advocate, dt: 01-12-2011 & 24-2-2012
- 6.From the District Collector, Nalgonda, Lr No.G1/2734/98, dt: 10-3-2012
- 7.From the GP for TR&B, HC of AP., Lr No.CC.No.367 of 2012 in WPNo.30915/2011, TR&B, dt:02-4-2012.

ORDER:

In letter 3rd read above , the Chief Engineer (R&B) CRN & Managing Director, A.P.Road Development Corporation, Hyderabad, has stated that as regards the now completed APSHP road of Narketpally – Addanki, the aggrieved parties of the villages Gudur of Miryalaguda Mandal, whose land to an extent of AC No.0-293/4 guntas or 3599.75 Sq yards in Sy No's 243, 256, 257, 258, 261 & 251 was acquired. Discontent with the compensation rate awarded by the RDO Miryalguda Dt:26.12.2002 at RS.70,000/- per acre as market value, they filed a petition under Section 18 of the Land Acquisition Act. The Hon'ble senior Civil Court, Miryalaguda, subsequently enhanced the compensation at Rs.300/- per sq yard in OP No.41/2005; dt:31.03.2005.

2. In response, aggrieved by the order, RDO/LAO Miryalguda filed an appeal in the Hon'ble High Court. The Hon'ble High Court, consequently, issued interim orders in LAAS No.171/2010, Dated:23.04.2010 to deposit 50% of enhanced amount together with all statutory benefits.

3. Accordingly, the District Collector, Nalgonda, has submitted proposals to CCLA, Hyderabad for the same to the tune of Rs.14,39,471/- to be paid as decretal charges in OP No.41/2005 as per the interim orders of the Hon'ble High Court. The CCLA reviewed the calculation and arrived at Rs.15,32,332/- as 50% of enhance amount is decretal amount.

4. The Chief Engineer (R&B) CRN & Managing Director, A.P.Road Development Corporation, Hyderabad, has submitted that there are no funds available towards Land Acquisition in the budget for the year 2011-2012.

5. The Chief Engineer (R&B) CRN & Managing Director, A.P.Road Development Corporation, has therefore, requested the Government to accord sanction for the payment of Rs.15,32,332/- (Rupees fifteen laksh thirty two thousand three hundred and thirty two only) at the earliest in order to avoid legal complications, under the Head of Account-5054-COL on Roads & Bridges-04-District and Others Roads-MH 800-Other Expenditure-GH 11--Normal State Plan-SH ()-Improvements of Roads and Development of Rural Roads (to be opened)-530-Maintenance-532-Lands.

Contd....2

6. In the letter 4th read above, the Chief Engineer (R&B) CRN & Managing Director, A.P.Road Development Corporation, has also stated that the said proposal put forwarded by their office is in conformity to the interim order issued by the Hon'ble High Court of AP.

7. In the letter 6th read above, the District Collector, Nalgonda has also requested the Govt. to arrange to accord sanction for the payment of Rs.15,32,332/- towards the decretal charges in O.P No.41/2005, as per the interim orders dt: 23-4-2010 of the Hon'ble High Court to avoid legal complications and for compliance of the orders of the High Court of AP in W.P.No.30915/2011 Dt.23-11-2011.

8. Government after careful examination of the matter, hereby accord administrative sanction for release of an amount of Rs.15,32,332/- (Rupees fifteen lakhs thirty two thousand three hundred and thirty two only) to deposit of 50% decretal charges in respect of O.P.No.41/2005 on the file of Senior Civil Judge, Miryalaguda, and as per the interim orders dt:23.04.2010 in LAASNo.171/2010 of the Hon'ble High Court of AP and Contempt Case No.367/2012, filed by Sarva Sri.Chyannuri Leela Rani and 3 others, for compliance of the orders of the High Court of AP in W.P.No.30915/2011 Dt:23.11.2011.

9. The amount sanctioned in para (8) above, shall be debited to the Head of Account- 5054 - COL on Roads and Bridges - 04- District and Other Roads - MH 800 Other Expenditure - GH 11- Normal State Plan - SH(30) Roads Development Works under APSHP- 530- Major Works - 532 Lands(Charged) (to be opened) and shall initially be met by way of an advance from Contingency Fund, orders regarding which will be issued separately by Finance (BG) Dept.

10. The Chief Engineer (R&B) CRN & Managing Director, A.P.Road Development Corporation, Hyderabad, shall draw the amount sanctioned at para (8) above and deposit the same in the Senior Civil Judge, Miryalaguda for realization of decretal amount in O.P.No.41/2005 under intimation to the Government.

11. The Chief Engineer (R&B) CRN & Managing Director, A.P.Road Development Corporation, Hyderabad, is requested to take action for obtaining supplementary grant at appropriate time during the current financial year 2012-2013 towards recoupment of the advance drawn from Contingency Fund.

12. This order issues with the concurrence of Finance Department vide their U.O.No.10106-A/387/Expr.PW/A2/2012, dated:11-04-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Engineer (R&B) CRN & Managing Director,
A.P.Road Development Corporation, Hyderabad

Copy to:

The Government Pleader for TR&B, High Court of A.P., Hyderabad

The Chief Commissioner of Land Administration &

Spl.Chief Secretary to Govt., A.P, Hyderabad

The District Collector, Nalgonda District

The Accountant General, A.P, Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The Finance (BG.I/Exp.PWD) Dept

PS to M(R&B)/ Prl.Secy., R&B

Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER